

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States District Court
Southern District of Texas
FILED

OCT 17 2013

Clerk of Court

United States of America

v.

Jose Alonzo Ibarra Rodriguez, YOB: 1976

Esmerardo Ibarra, YOB: 1982

Case No.

M-13-1844 M

Defendant(s)

CRIMINAL COMPLAINT

UN SEALED

10/18/13

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

From On or about the date(s) of November 1, 2012 to on or
January 25, 2013 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

21 USC 846 and 841

Offense Description

Conspiracy to possess with intent to distribute a controlled
 substance/approximately 1,300 kilograms of marijuana, a schedule I
 controlled substance under the Controlled Substance Act.

This criminal complaint is based on these facts:

See "Attachment A"

☒ Continued on the attached sheet.

Approved to AG:
 [Signature]
 10-17-13

Sworn to before me and signed in my presence.

Date: 10/17/2013City and state: McAllen, TX

Dr 2

Complainant's signature

Derek W. Lacina Special Agent

Printed name and title

[Signature]
 Judge's signature

Dorina Ramos, U.S. Magistrate Judge

Printed name and title

Attachment "A"

On January 25, 2013, at approximately 2350 hours, United States (U.S.), Department of Homeland Security (DHS), Homeland Security Investigations, McAllen, Texas (HSI McAllen) received a request for investigative assistance from Pharr Police Department officers assigned to the HSI HIDTA Task Force, McAllen, Texas (HIDTA TFOs). HIDTA TFOs received information indicating that a warehouse in Pharr, Texas contained a large amount of marijuana. HIDTA TFOs initiated surveillance at the Paramount Citrus Warehouse and observed a box truck and a tractor/trailer backed up to the loading dock at the warehouse.

After approximately two hours, HIDTA TFOs entered the parking lot of the warehouse and were subsequently given consent to search the warehouse. Upon entering the warehouse, HIDTA TFOs observed in plain view, large bundles of marijuana wrapped with cellophane. The total weight of these bundles of marijuana was later determined to be approximately 1,408 kgs. HIDTA TFOs detained eight individuals at the warehouse of which seven were subsequently arrested and indicted by a federal grand jury.

Two cooperating codefendants who were arrested on January 25, 2013 stated that they previously met with two brothers at a ranch where they were offered several thousand dollars to facilitate the packaging of the marijuana. One of the cooperating codefendants fully identified Esmerardo "Gino" IBARRA and Jose Alonzo IBARRA from two six person photo lineups, as the brothers whom they met with at the ranch. The other cooperating codefendant fully identified Esmerardo "Gino" IBARRA from a six person photo lineup as one of the brothers. Both cooperating codefendants were also shown a picture of a property located off of N. Minnesota Rd in Mission, TX with the legal description of Conner C, A 2 S 10 AC. Both cooperating codefendants identified this as the property that they met with Esmerardo IBARRA and Jose IBARRA on that occasion. The cooperating codefendants stated that Esmerardo IBARRA arrived at the ranch driving a Chevrolet Z71 pickup truck. They also stated that during the meeting they discussed with Esmerardo IBARRA and Jose IBARRA on where and how the marijuana would be loaded.

Record checks revealed according to Hidalgo County Texas CAD, property with the legal description of Conner C, A 2 S 10 AC is registered under the name of Arlene Chavero Ibarra whom is the wife of Jose IBARRA.

Several of the cooperating codefendants who were arrested on January 25, 2013, stated that they were dropped off by Esmerardo IBARRA in his blue Chevrolet pickup truck at the Stripes convenience store located at Jackson and Dicker Rd. in Pharr, TX. The cooperating codefendants then proceeded to the Paramount Citrus Warehouse where they were subsequently arrested.

Note: surveillance video obtained from the Stripes convenience store located at Jackson and Dicker Rd. in Pharr, TX verified that four individuals who matched the description of four of the cooperating codefendants entered a vehicle that matched the description of

one of the cooperating codefendants vehicles. The same surveillance video shows a Chevrolet Pickup truck, which matches the description of Esmerardo IBARRA's, drive by the surveillance camera at about the same time that the four individuals walked towards and entered this vehicle.

Record checks revealed that Esmerardo IBARRA owns a blue colored 2008 Chevrolet Silverado pickup truck.

Cooperating codefendants stated that Esmerardo IBARRA met with them earlier on the day of the seizure to pay them money to facilitate the shipment/packaging of marijuana and to further discuss the packaging/shipping of marijuana.

A Cooperating codefendant stated that the tractor/trailer which marijuana was being loaded into on January 25, 2013, at the Paramount Citrus Warehouse was registered under his/her name. He/she did not pay for the tractor/trailer, and the tractor/trailer was transferred into his/her name at no cost. The Drug Trafficking Organization (DTO) transferred the title of the tractor/trailer into his/her name from Jose Alonzo IBARRA's name for the purpose of transporting marijuana.

Record checks revealed that the tractor/trailer which marijuana was being loaded into on January 25, 2013, was previously registered under the name of Jose Alonzo IBARRA.

One cooperating codefendant stated that they had previously loaded a large load of marijuana for "Gino" and that one of the other cooperating codefendants participated in the packaging and or movement of that particular load of marijuana.

Cooperating codefendants stated that they had Esmerardo IBARRA's phone number listed as a contact in their cell phones under the names of "Gino" and/or "Tino". They further stated that they were in contact with him before and during the time period of the marijuana seizure. Codefendants stated that Esmerardo IBARRA was calling them over the phone to check on the status of the marijuana being loaded. A consensual search conducted on numerous cooperating codefendants cell phones revealed that they had phone contacts with the name of "Gino" and/or "Tino" in them. Cooperating codefendants made numerous phone calls to "Gino" and/or "Tino" before and during the time of the seizure. Phone records also revealed that the cooperating codefendants were making numerous phone calls to phone numbers registered under the name of Esmerardo IBARRA, 4114 Magdalena St., Mission, TX 78573 and Jose IBARRA, 7201 Margaret Drive, Mission, TX 78574.

A Cooperating Codefendant stated that he and Jose IBARRA were arrested together approximately six years ago in Florida under narcotic charges and that he/she was working at the ranch of Jose IBARRA before he/she was arrested on January 25, 2013.

J 442 (Rev. 11/11) Arrest Warrant

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v.

Jose Alonzo Ibarra Rodriguez (1976)

OCT 18 2013

Case No.

m-13-1844-m-01

Clerk of Court

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay(name of person to be arrested) Jose Alonzo Ibarra Rodriguez

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Conspiracy to possess with the intent to deliver a usable amount of marijuana, in an amount over 1,000 kilograms.
In violation of Title 21 USC 846 & 841

Date: 10/17/2013*Dorina Ramos*

Issuing officer's signature

City and state: McAllen, Texas

Dorina Ramos, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) 10-17-13, and the person was arrested on (date) 10-17-13
at (city and state) McAllen, TX

Date: 10-17-13*Derek Lacin*

Arresting officer's signature

Derek Lacin SA

Printed name and title